

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| -----X | | |
| JAMIE RIO MARTINEZ, | : | |
| | : | |
| Plaintiff, | : | 20-CV-9366 (GBD) (OTW) |
| | : | |
| -against- | : | <u>ORDER</u> |
| | : | |
| ACCELERANT MEDIA, LLC, et al., | : | |
| | : | |
| Defendants. | : | |
| | : | |
| -----X | | |

ONA T. WANG, United States Magistrate Judge:

This matter has been referred to me for Inquest following a default. By **November 28, 2022**, Plaintiff shall file **(1)** proposed findings of fact and conclusions of law, and **(2)** an inquest memorandum setting forth proof of damages. Plaintiff's proposed damages figures should be supported by documentary evidence and/or one or more affidavits establishing the proposed figures. Plaintiff must also include documentation supporting the requested attorney's fees and costs. Plaintiff must serve these documents on the Defaulting Defendants, as defined in ECF 65, and file a proof of service on the docket by **November 28, 2022**.

Defendants' opposition papers (if any) shall be filed by **December 19, 2022**.

The Court hereby notifies the parties that it may conduct this inquest solely on the written submissions of the parties. *See Action S.A. v. Marc Rich & Co., Inc.*, 951 F.2d 504, 508 (2d Cir. 1991). If any party seeks an evidentiary hearing on damages, such party must include the request in its papers, as well as provide reasons why a hearing is necessary and detail what types of additional evidence would be presented at the hearing.

Plaintiff shall serve a copy of this Order on the Defaulting Defendants and file proof of service on the docket by **November 1, 2022**.

SO ORDERED.

Dated: October 25, 2022
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge